

CITY COUNCIL REPORT



MEETING DATE: August 26, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

3rd Avenue/5th Avenue Parking Garage

REQUEST

Request to approve a Municipal Use Master Site Plan for a parking garage on a 1.6 +/- acre parcel located at 7143 E 5th Avenue with Central Business (C-2) zoning.

4-UP-2003

Key Items for Consideration:

- Parking demand exceeds parking supply
- Proposed approximate 400+ space parking garage to replace existing surface parking lot
- Centrally located between 5th Avenue and 3rd Avenue with access from both 3rd and 5th Avenue
- Planning Commission recommends approval 7-0, with additional stipulations

Related Policies, References:

- General Plan
- Downtown Plan

OWNER

City of Scottsdale
480-312-7769

APPLICANT CONTACT

Madeline Clemann
Parking Program Manager
City of Scottsdale
480-312-2732

LOCATION

7143 E 5th Avenue

HISTORY OF PLANNING

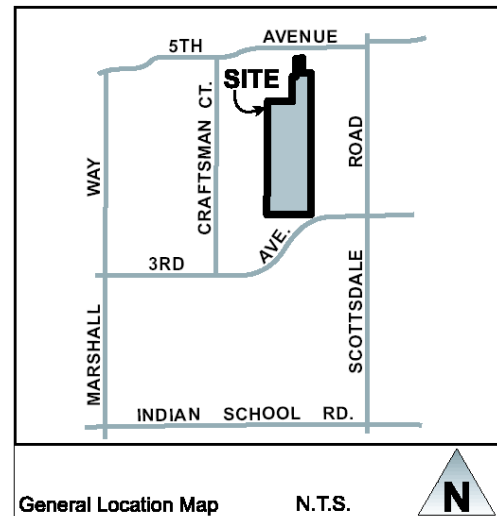
COMMISSION INPUT

July 9, 2003

The Planning Commission desired to provide more clarification regarding their approval recommendation to the City Council, and therefore discussed how that information should be provided to the City Council. Staff prepared a memorandum in an attempt to provide clarity to the Commissions recommendation on the proposal and how the site should be utilized. After discussion, the Planning Commission decided that they would communicate their thoughts individually to the City Council.

June 25, 2003

The Planning Commission recommended approval of the Municipal Use



General Location Map

N.T.S.



Master Site Plan with two additional conditions:

1. The City shall initiate to rezone this site to a Downtown-zoning district for the purpose of allowing for increased height to accommodate the mixed-use.
2. Within 3 months of City Council approval, the City Council shall initiate a Request for Proposals to develop a garage and mixed use on this site, with a 60-day response period for the Request for Proposals.

The Planning Commission dialogue centered on two points. First, a Downtown district could increase building height that would allow for opportunities to place residential units on top of any parking structure design. Second, the Request for Proposals would ensure moving forward with a residential component on the site in addition to the parking garage.

The Planning Commission's other areas of discussion were: the highest/best use of the site, desire for residential units as part of the garage, below grade parking, and cost/budgetary considerations.

June 18, 2003

The Planning Commission held a special study session at the site to assess site conditions to obtain a better understanding of the development.

The session began with a brief staff overview of the proposed parking garage. The Commission discussed the potential for the parking levels to be depressed in the site with other uses on top of the parking garage. The limitations of building height, site location and suitability of residential with the height limitations, and connections to adjacent properties were reviewed along with cost outlays for depressing the parking garage.

June 11, 2003

This item was continued to June 25, 2003 for more information regarding the financial considerations of this project. A cost analysis of the construction requirements for building the parking garage with structural capacity for future development of uses above the parking; and an analysis of the costs to sink the parking structure into grade were requested. The cost evaluation, presented at the June 25th Commission hearing, demonstrated that an additional \$300,000 is needed to build one level below grade; additional levels below grade would increase the construction schedule and costs.

BACKGROUND

Municipal Use Master Site Plan.

The site plan shows the proposed parking garage, along with circulation routes for automobiles and pedestrians. Residential, retail or other uses may be considered at a future time on the portion of the site adjacent to 3rd Avenue.

Context.

This site is located west of Scottsdale Road and south of 5th Avenue. The surrounding property is zoned Central Business District (C-2) and Downtown/Retail Specialty Development Type 1 (D/RS-1).

General Land Use Plan / Zoning.

The site is currently zoned Central Business District (C-2) and Downtown Overlay District (DO), which allows a variety of office and retail uses,

including parking.

The General Plan designates this area as Mixed Use Neighborhoods for zoning as Retail Specialty Development Type 1 (RS-1). This zone allows retail specialty shopping uses, regional tourist attractions and residential. Parking areas support the uses and activity recommended by the Downtown Plan.

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

Council gave Direction to staff at the October 28th, 2002 Council study session to proceed with building a larger parking facility on the site. Staff proposes to build a two-story (one level underground, a surface level, and two levels above ground) parking garage to offset the existing and forecast parking deficit. The parking garage will also include restrooms, bicycle and pedestrian facilities, and there will be way finding (downtown signage) incorporated.

Applicant's Analysis of Use Alternatives

During the application review, some private parties and Planning Commission members expressed interest in implementing concepts on this property for mixed use with retail, office, and residential use in conjunction with the parking garage. Other ideas include all parking underground, retail on the first floor, upper level residential development, and several levels of underground parking to accommodate the needed 400 spaces (approximate) with a landscaped City park on top.

The site is a City owned property and the project is a City funded development. The project schedule is to start construction in April/May of 2004 and complete construction by October/November of 2004. These time constraints would limit the incorporation of these other uses to some future time, otherwise construction could be delayed. Project funding has been identified and reserved for a parking structure. To support any of the proposed alternative uses, additional funding would need to be identified for additional structural support and additional excavation. To accommodate this new demand, the garage structure would need to incorporate additional parking spaces for any mixed-use proposal. A public/private partnership would need to be established through a minimum 90-day RFP process, and a development agreement with a minimum 9-month process. The design process for any mixed-use facility would take an estimated additional six months minimum to complete. These time factors would add a significant amount of time to the construction of the public parking garage.

IMPACT ANALYSIS

Downtown Development.

This site is located in the 5th Avenue area of the Downtown with nearby retail shops and galleries, restaurants, and nightclubs. Currently, about 87% of the existing buildings in this area are occupied.

Parking.

This City property is currently being used as a surface parking lot that contains 181 spaces. The parking lot was built by contributions to an assessment district formed by properties in the adjacent 5th Avenue District. The existing 181 spaces will be incorporated into the proposed approximate 400-450 parking garage spaces. The garage project is not expected to affect existing

on-street spaces or adjacent private parking spaces. With the additional parking spaces provided in the parking structure, this area of Downtown will have a central public parking facility that will allow for better parking for existing properties and sized to accommodate additional development to the surrounding area.

Traffic.

The provision of better and more parking Downtown may draw more people to the area. But the new garage is not a destination itself; hence, it does not generate vehicle trips. Instead, it captures vehicle trips generated by all the adjacent district businesses and provides parking spaces for those vehicles near their destinations.

Community Impact.

The Municipal Use Master Site Plan does not assign individual parking spaces to any properties. Approval of a parking garage at this location facilitates the provision of parking spaces available for visitors to the downtown area, and increases the available parking supply in order to help meet parking demands.

Community Involvement.

An open house meeting was held twice on April 17, 2003. There were 17 people who signed the attendance roster. The comments received indicate overall support for the parking garage. The comments also demonstrate a desire for public restrooms/services, a desire to minimize the parking garage height by placing parking underground, and a desire to have construction completed prior to the peak tourism season. Staff has responded to public comment by adding security cameras, restrooms, elevator access, shade where structurally feasible in the proposed design.

**OTHER BOARDS AND
COMMISSIONS****Planning Commission.**

The Planning Commission recommends approval, 7-0 with additional conditions. The Planning Commissions recommendation does include additional provisions regarding rezoning the parcel to a Downtown zoning district to provide for height flexibility for residential uses. To follow through on the potential for residential uses on top of the parking structure, the Commission also recommended that a Request for Proposal process begin within three (3) months of City Council approval of this Municipal Use Master Site Plan.

RECOMMENDATION

Staff recommends approval, of the Municipal Use Master Site Plan, for parking only, as shown in Attachment #11. The proposed parking structure as a single use on the site does not meet the mixed-use goals of the Planning Commissions recommendation. The parking structure proposal will:

- Meet the Council's direction given to Staff at the October 28th, 2002 Council study session which was to proceed with building a larger parking facility on the site;
- Provide parking for the existing demand within a reasonable and appropriate time frame;
- Provide a parking structure on a site that has been consistently used for public parking for over 30 years, and;
- Provide parking for future growth in downtown.

RESPONSIBLE DEPT(S)	Planning and Development Services Department Current Planning Services	
STAFF CONTACT(S)	Kira Wauwie AICP Project Coordination Manager 480-312-7061 E-mail: kwauwie@ScottsdaleAZ.gov	Randy Grant Chief Planning Officer 480-312-7995 E-mail: rgrant@ScottsdaleAZ.gov
	Madeline Clemann Parking Program Manager 480-312-2732 E-mail: mclemann@ScottsdaleAZ.gov	

APPROVED BY

Kroy Ekblaw	Date
General Manager, Planning & Development Services Department	

John Little	Date
General Manager, Transportation Department	

Ed Gawf	Date
Deputy City Manager	

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Traffic Impact Summary
7. Citizen Involvement
8. June 11, 2003 Planning Commission Minutes
9. June 25, 2003 Draft Planning Commission Minutes
10. July 9, 2003 Draft Planning Commission Minutes
11. Site Plan



City of Scottsdale

PROJECT NARRATIVE FOR CITY INITIATED PROJECTS



- ☒ Rezoning
☐ Use Permit
☐ Development Review
☐ Master Sign Programs
☐ Text Amendment
- ☒ Other *MUMSP*

Case # 264 / 264 -PA- 02 # 1

Project Name Fifth Avenue Parking Structure

Location Between Fifth and Third Ave
at Craftsman Court

Applicant Marteline Clemann

Ordinance Section _____

SITE DETAILS

Proposed Zoning: P-2

Existing Zoning: C-2

Parcel Size: _____

Height: _____

Parking Required: _____

Parking Provided: _____

Of Buildings: _____

Setbacks: N- _____ S- _____

E- _____ W- _____

In the following space, please describe the project or the request

To construct a new downtown Parking Structure at the existing surface parking lot between Fifth and Third Avenues.

ATTACHMENT #1

(If an additional page(s) is necessary, please attach.)

4-UP-2003



5th Avenue Municipal Use Master Site Plan

4-UP-2003

ATTACHMENT #2

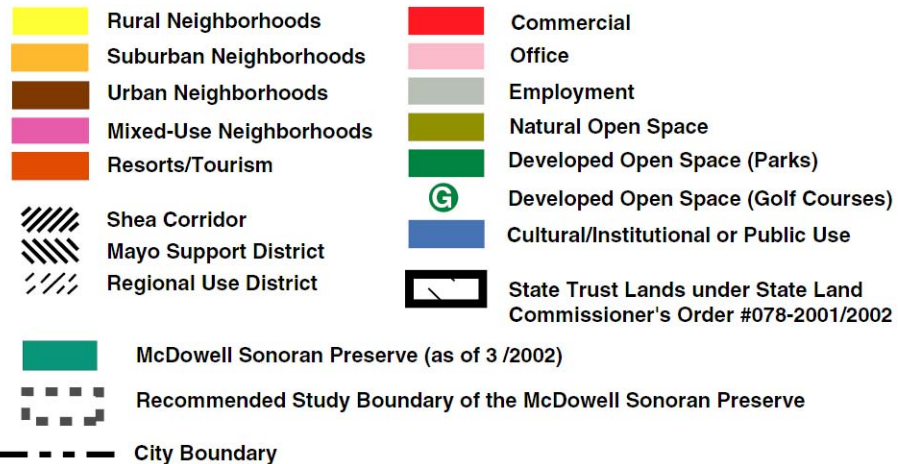
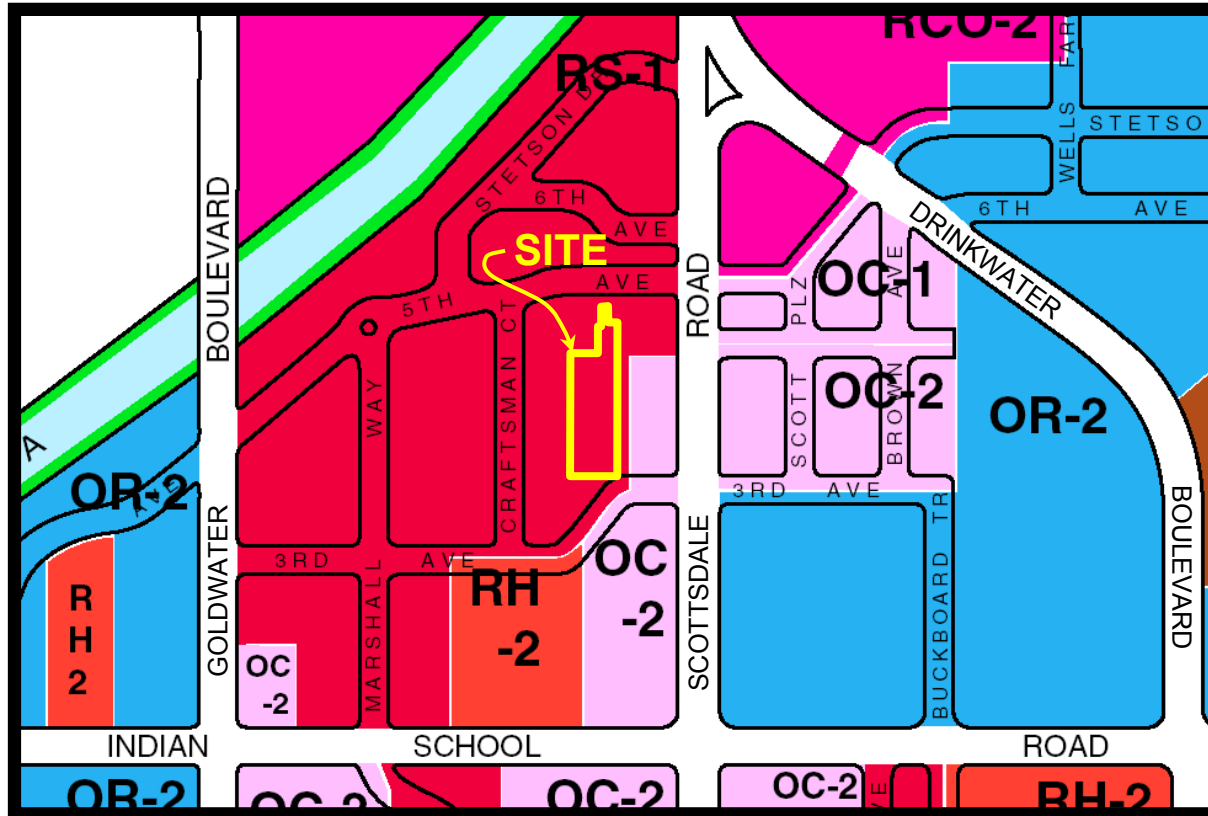


5th Avenue Municipal Use Master Site Plan

4-UP-2003

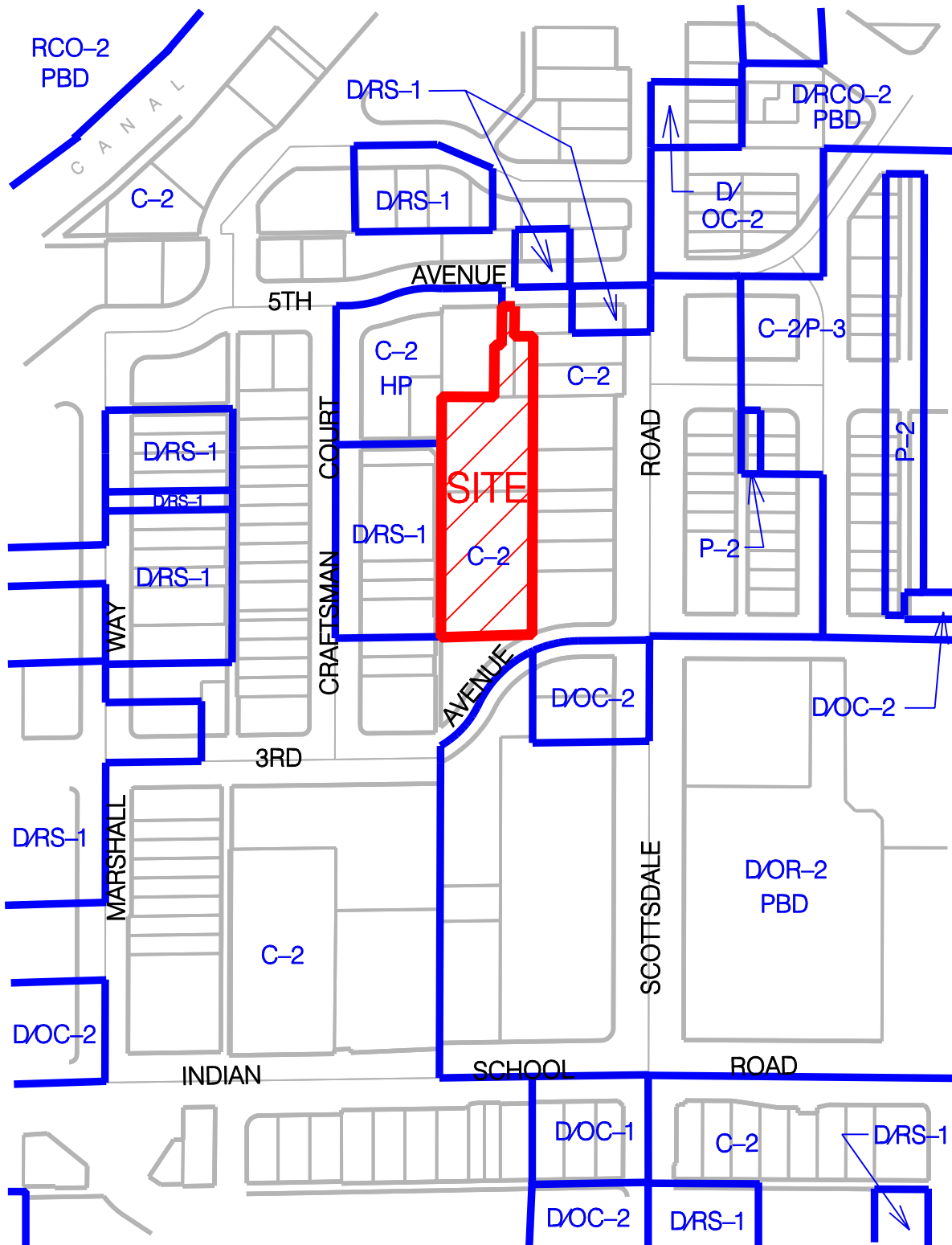
ATTACHMENT #2A

General Plan



4-UP-2003

ATTACHMENT #3



4-UP-2003

ATTACHMENT #4

STIPULATIONS FOR CASE 4-UP-2003

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO SITE PLAN. Development shall conform with the site plan submitted by KPFF Consulting Engineers and dated 4 April, 2003. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.

Traffic Impact Summary
4-UP-2003
5th Ave. Garage

Background

On June 24, 2002, staff presented the City Council with a status update of the Canal project including the results of a technical evaluation and preliminary costs for a garage structure in the Fifth Avenue District. In the discussion that followed, council reaffirmed their support for the Fifth Avenue garage, and gave staff direction to consider other sites downtown for parking facilities. Subsequently the Fifth Avenue Garage was separated from the Canal project, and folded into the downtown Scottsdale Parking Program.

Walker Parking Consultants (November 2002) conducted a parking occupancy study for a major portion of downtown Scottsdale. The study results indicated that the ability of the existing parking supply to accommodate parking demand was marginal during peak hours, in the Old Town and 5th Avenue/Marshall Way Districts.

At the time of the study, the Fifth Ave. District building vacancies represented 71 percent of all downtown study area vacancies. It is because of the high vacancy rate in this district that daytime supply is adequate at this time. Were it not for the vacancies, the daytime parking deficiency would be worse than it is. It was calculated that the existing parking supply deficiency was only 38 spaces for the evening peak hour. In fact, if each vacant building were filled by the same business as before the vacancy occurred, the district would be deficient 356 spaces. Currently, the evening deficiency is being handled through the valet program, which leases many, but not all, of the district's private parking spaces. In addition, on busy nights in the district, cars are being illegally parked on private spaces when the public facilities are full.

Staff returned Council on October 15, 2002 and presented the results of a parking study and recommended a program of capital projects, parking operational improvements and a budget. The \$9.6 million budget included Transportation CIP funds (restricted to use for transportation related projects) as a major component. Following the direction of Council, Transportation Department staff finalized the planning process, initiated the design process, and is moving toward developing construction documents utilizing an internal and outside consultant team.

Existing Conditions

The site is located between Scottsdale Road and Craftsman Court, and between Third Avenue and Fifth Avenue in the downtown area. The 1.6-parcel property is currently being used as a surface parking lot that contains 187 spaces. The parking lot spaces were built from assessment district funding by the surrounding Fifth Avenue District businesses.

Proposed Development

The proposal is to construct a two-story parking garage in place of the existing surface parking lot. The existing 187 spaces will be incorporated into a 250-450 space garage. The garage project will not be detrimental to the existing on street or private parking spaces. A municipal use master site plan is required to allow the proposed parking structure on the site.

Summary

The new garage is not a destination itself; hence, it does not generate vehicle trips. Instead, it captures vehicle trips generated by all the adjacent district businesses and stores those vehicles near their destination. The district businesses have been assessed and charged for parking needs generated, as required, for their business use permits.

The purpose of the garage is to provide parking: 1) for the existing surface lot vehicles; 2) for future parking needs as building vacancies are filled; 3) for future growth in downtown; and 4) to reduce illegal parking.

OPEN HOUSE SIGN IN

NAME	ADDRESS	PHONE
Fred Unger	7154 E. Stetson, Scottsdale	480-874-1002 x11
Ponder Rogers	7078 E 5th Avenue, Scottsdale	
Joel Schwartz	7070 E 5th Avenue, Scottsdale	
Warren M Silver	4130 N. Marshall Way, Scottsdale	
Cindi M Hoffman	7044 E %th Avenue, Scottsdale	
Patty Badenoch	5027 N 71st Pl, Scottsdale 85253	
Betsy Hendricks	4130 N Marshall Way, Scottsdale	
Janet Harris	6939 5th Avenue, Scottsdale 85251	
Sam West	8160 N Hayden, J210, Scottsdale 85258	
Sonnie Stevens	8507 E Highland, Scottsdale 85251	
Darin Simmer	2705 N Greenfield, Phoenix 85006	602-809-7595
Nussbaum	13054 N 94th Pl, Scottsdale 85260	480-451-8997
Norm Tang	802 E Braaeburn Dr Phoeix 85022	
JoAnn Handley		480-946-0394
Lorraine White		480-991-3026
Rich Summer		480-945-6794
Rewier Luedelke		480-837-2390

Fifth Avenue Parking Structure Comments

1. RR – North Side
2 No Street Events during construction * **Really important**
3 Loading Zone at North end
4 Valet Parking in one location only during construction (mall)
Darin Simmer
2705 N Greenfield Rd.
Phoenix, AZ 85006

This parking is vitally needed for the 5th Avenue area. The concept presented addresses this problem at least to some extent
JoAnn Handley

The view of the cost considerations perhaps in this case, the 36 would not look so bad especially since the parking garage will be pretty much blocked in by other buildings.
Patty Badenoch
5027 N 71st Pl
Scottsdale, AZ 85253

Should keep restroom at the 5th and Stetson and still add the two on the new structure.

I would rather see a 1st level below ground and only 2 levels above ground.
Incorporating services ie trolley stops, water fountains, restrooms
Joel Schuartz
7070 E 5th Avenue

We prefer 2 level parking with below ground. We have concerns with loading in alley.
Thanks for the effort. This is very encouraging.
Rolf & Kris Gruller
Framers Workshop
4161 N Craftsman Court

I think you should consider going down a story (underground)
However, it's not bad the way it is
JUST GET IT DONE!
Janet Harris
6939 5th Avenue

CHAIRMAN GULINO inquired what is the status of the preliminary plat application on this project.

JOHN BERRY, 4300 N. Scottsdale Road, legal counsel representing the applicant, stated the preliminary plat application is scheduled to go to the DR Board. He further stated they are not required to pave this half street. They don't access it. It is of no benefit to them. He reported that his client has agreed to pave the half street, which would be a requirement of the preliminary plat. Although, technically and legally his client is not required to do that he has agreed to do that.

Mr. Berry stated for the record the area immediately east of this property was done with 10 different lot splits. None of the 10 individuals involved in those lot splits were required to contribute anything for infrastructure improvements in this area.

COMMISSIONER HEITEL inquired if it would be acceptable to require the applicant to pave the other half street. Chairman Gulino stated the Commission does not have that authority.

CHAIRMAN GULINO called for the vote on the motion.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

4-UP-2003 (5th Avenue Parking) request by City of Scottsdale, applicant/owner, for a municipal use master site plan for a parking garage on a 1.6 +/- acre parcel located at 7143 E 5th Avenue with Central Business (C-2) zoning.

MS. WAUWIE presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

VICE CHAIRMAN STEINBERG stated the narrative still calls for rezoning. Ms. Wauwie stated that is an oversight.

Vice Chairman Steinberg inquired how many levels will be above grade. Ms. Wauwie stated there will be four levels and they are investigating the ability to place one level below grade.

Vice Chairman Steinberg inquired if it would be designed and engineered to allow other uses. Ms. Wauwie replied they are anticipating to some how do that, and they are working on the construction details of the structure.

Vice Chairman Steinberg stated with what is being proposed this will be an expensive garage as opposed to putting it for the most part below grade and putting retail and residential above. He further stated he is very adamant about trying to bury this as much as possible and providing mixed use for this area, which is so critical. It is a very sensitive site. He added a mixed-use project that relates to the area is very important. He further added he would hope they could move some reconsideration forward.

COMMISSIONER SCHWARTZ inquired if they have sent out an RFP to developers to put together a plan to develop the site with a mixed-use element combining residential

and office. Mr. Gawf stated they have looked at the possibility of putting those types of uses on an upper floor. They did not send out an RFQ or an RFP but they have given that information to someone that does that kind of work to see if it is feasible. He further stated they are putting one level underground and two levels up. He noted they are looking at some options for the 3rd Avenue frontage.

Commissioner Schwartz stated you couldn't design a garage until you know how it will layout. He inquired in the interest of understanding some of their concerns, if it would be possible that prior to this full design going forward it would come back to the Planning Commission. So, they could have a better assessment of what they can and cannot do before they just approve a municipal parking garage. Mr. Gawf stated he would ask that the Commission act tonight on whether this is an appropriate location for public parking so it can go on to City Council. He further stated they understand that they need to retain flexibility for additional uses in the future design of the parking structure. He remarked he would be happy after they have done that analysis to come back and discuss the plan with the Commission.

COMMISSIONER NELSEN inquired why they could not get a commitment from the City to design this structure so that it will accommodate mixed use on the roof. Mr. Gawf stated if that is the belief of the Planning Commission they should make it part of their motion to Council.

COMMISSIONER HEITEL inquired if it would be feasible to put more of those floors below ground to accommodate some of their concerns. Mr. Gawf stated based on the Planning Commission's earlier comments they are putting one level underground and two levels above and the next level could have residential.

Commissioner Heitel inquired from a safety standpoint would there be security in the garage. Mr. Gawf reviewed the safety measures that would be utilized.

VICE CHAIRMAN STEINBERG stated if you are digging out for one level it is not much more expensive to dig out for two or three levels. He reiterated that he is adamant about burying the entire garage. He further stated he felt they are killing a 1.6 acre piece of land that is so well situated in the arts district. If they build a garage on it will be an eyesore. It looks like a monolith over the Osborn campus. It should be underground with retail and residential above. Mr. Gawf stated usually he would agree with that concept, in this case he does not given the existing service area and alley. He further stated if they can do something with the 3rd Avenue side he felt it was a perfect location to do both below grade and above grade. Vice Chairman Steinberg stated the charm of this area is the alleyways, links and different areas that lend mystery to people in a pedestrian mode walking this area. When you build these walls you take away the mystery and desire to walk the alleys and explore. He concluded he cannot support a plan that shows parking above grade.

COMMISSIONER BARNETT stated they have in front of them a request for a municipal use for a parking garage that is a very specific request. He further stated they all understand that they need more parking and they need more people in the downtown. He remarked Commissioner Steinberg's concept and staff's concept are completely different. He further remarked they are being asked to make a decision on a multi-

million dollar facility and they do not have a clue regarding the cost. They don't have information about the soil in that area. The assumption they are working on that the market in this area is not working well in this area and a private individual does not want to come in and create a parking garage in this area. The city has come in and said they want to create parking. He remarked the decision they need to make is this an area for parking. He further remarked staff needs to create a model of going out and getting a couple of proposals with a dollar amount and then they can make a rational decision regarding how they can move forward. Mr. Gawf stated staff is coming to the commission with a proposed master use plan that shows parking in this area with one level below ground and two above. The Commission needs to make a recommendation whether this is appropriate. He commented he felt this was a great location to have above grade parking but that is the decision of the Commission.

COMMISSIONER SCHWARTZ stated what he is hearing is that everyone agrees there should be parking in this area and they want to move forward but it is the form they are concerned about. Mr. Gawf stated staff would not mind sharing the information they have regarding cost and the other analysis that has been done.

CHAIRMAN GULINO stated if this case were to be approved by the Council as it is presented today that would commit it to be one story underground and two above. Mr. Gawf replied in the affirmative.

COMMISSIONER SCHWARTZ stated this occurred in Santa Barbara where they had a ringed commercial around an area used for parking. What they did was put residential above the parking structure and ringed it around the commercial. He further stated this has been done in other areas. There are other case studies out there that can direct them to anchor the downtown parking garage with a number of other uses that would be beneficial to everyone. He noted they are all concerned that they get the right thing in this location. Mr. Gawf stated there are a lot of examples they can look at but that every site is not appropriate for the same solution so they need to pick the best solution.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

PATTY BADENOCK, 5027 N. 71st Place, stated she has a lot of trouble with adding heights in the downtown. She further stated she served on the Downtown Task Force so she is very interested in this site. She remarked she is disappointed that tuck under parking on the canal was not a priority. The tuck under parking serves as a foundation for the businesses to turn out to face the canal so it is a wonderful attribute to revitalize the area.

SAM WEST, 8160 N. Hayden #I-210, stated he served on the Downtown Task Force. He noted many of the comments made by the commissioners' are identical to the comments and concerns made by the task force. He noted his comments are not a criticism to what Mr. Gawf has presented. He further stated the recommendation of the task force was that the garage should be underground with a park on top.

MATT PERONE, 5027 N. 71st Place, stated he felt the mixed-use component has been overlooked in Scottsdale. He inquired if the businesses along Scottsdale Road have been addressed regarding redoing that neighborhood. Most of the businesses along

Scottsdale Road are vacant. He remarked he is concerned about this three-story garage going up against these one story buildings along the street.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

MR. GAWF addressed the issue of tuck under parking on the canal. He noted they are working on doing tuck under parking on the canal bank. He further noted what they are seeing is just part of the overall approach.

COMMISSIONER HEITEL stated that Mr. Gawf and staff have been responsive to the Commission's concern but there appears to be a difference of opinion.

COMMISSIONER NELSEN stated he would like to commend Mr. Gawf on the presentation he made two weeks ago on the vision for the Downtown. He further stated listening to the comments it seems this Commission is trying to exact a kind of poetry. They are talking about a parking garage and it is a difficult task. Throw into that mix expensive land. Appropriate land use. Mixed use and the need for open space in the downtown. It is all very complicated. He further remarked he has serious reservations because of the height of the structure. He concluded that unless something changes he would not be supporting this.

CHAIRMAN GULINO requested Mr. Gawf provides a brief history regarding how they got to this point. Mr. Gawf provided history on the direction they received from the City Council and the actions that have taken place to get to this point.

Chairman Gulino stated some very good issues have been raised. They are all on the same page that they need parking but are concerned regarding what form it takes. He remarked he would like to see a recommendation for approval with added stipulations to address their concerns. The other option is that they may require more investigation regarding going further underground with the levels and the practicality and feasibility of a retail or residential component. He noted he did not know whether any of the Commission could speak to the fact whether there is a market for it or not because it does not make a lot of sense to try and beef up a structure if there is not a market for it.

COMMISSIONER HEITEL stated they are constantly being reminded that the cost of things is not within their purview. He further stated he felt they should make a recommendation to the City Council that their number one priority is to see a below grade structure and let them deal with the financial component and whether it is feasible or not feasible. They could put restrictions on the site plan to accommodate a residential component. He added he would recommend moving this forward with those recommendations.

COMMISSIONER SCHWARTZ stated he felt that they needed additional information before they could make a clear recommendation.

VICE CHAIRMAN STEINBERG stated he considers a garage to be a dead building meaning it is not generating any tax revenue to the City. It is a vacant structure used to accommodate cars on an as needed basis. He further stated just think about all the tax revenue that could be generated if they make this more than just a parking garage. He

noted he felt the funds that have been appropriated for this garage should be more than adequate to bury this parking structure and do a sensitive layout.

VICE CHAIRMAN STEINBERG MOVED TO CONTINUE CASE 4-UP-2003 TO THE JUNE 25TH PLANNING COMMISSION MEETING TO ALLOW STAFF, THE COMMISSION AND THE CONSULTANTS TO STUDY ALTERNATIVES THAT INCORPORATED OPTIONS SUCH AS UNDERGROUND PARKING AND MIXED USE DEVELOPMENT ABOVE WHICH MIGHT INCLUDE RETAIL AND RESIDENTIAL.

MR. GAWF suggested they schedule a site walk with the Planning Commission and the architect and do a little brainstorming before the June 25th meeting. He stated he would provide the Commission with analysis that has been done.

SECOND BY COMMISSIONER HEITEL.

CHAIRMAN GULINO stated he would not support this. He further stated he gets a little uncomfortable when they start talking about cost because they are the Planning Commission. He further stated from his perspective he would have preferred to forward to the City Council and get some input rather than holding it and going through this step because it does have the ramifications of creating bigger bills for this project as a whole. He concluded he would not be supporting it but does agree with the intent.

THE MOTION PASSED BY A VOTE OF FIVE (5) TO TWO (2) WITH CHAIRMAN GULINO AND COMMISSIONER NELSEN DISSENTING.

9-UP-2003 (Old Town Parking) request by City of Scottsdale, applicant/owner, for a municipal use master site plan for a parking garage on a 2.45 +/- acre parcel located at 7335 E Main Street with Central Business (C-2) and Highway Commercial (C-3) zoning.

MR. GAWF presented this case as per the project coordination packet. Staff recommends a continuance to the June 25th Planning Commission meeting.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

PATTY BADENOCK, 5027 N. 71st Place, stated she does not want to put off the downtown parking because it is vital. She further stated she does not understand why the parking facility behind Saba's is not considered. In terms of the civic center parking facility it is an old beat up structure that should be torn down rather than a quick fix. She stated the area on 2nd and Brown has a greater potential. It will take more money but in the long run will be a better plan. She noted they want to enhance and maintain the western atmosphere in Old Town.

SAM WEST, 8160 N. Hayden #1-210, stated he is the architect on the Bischoff building and over the last two years has been down in this area almost everyday during construction and remodel of that building. He further stated when you spend that much time in an area you begin to get a sense of what is there. He noted he served on the Downtown Task Force and one of the recommendations was to have an underground parking garage at the Noriega site that it is compatible with the look and feel in the area. He would strongly recommend that is the site that is selected and that it be two stories

JESSE MCDONALD stated he is representing the owners. He further stated the Stonegate Master Planned Community installed a block fence wall essentially on the property line and it is their intent to keep the line of the wall.

COMMISSIONER HEITEL stated if they reserved the 20-foot equestrian easement north of the block wall that would be a good spot for an equestrian easement because it is already separated from the street. Mr. McDonald stated he would not see a problem because part of the document that is being drafted with Stonegate Master Planned Community and the applicant is to reserve the building setback. So, if there is any future planning on the owners of the property it does not encroach too far onto Mountain View Road.

CHAIRMAN GULINO inquired if the applicant would be opposed to reserving an equestrian easement. Mr. McDonald stated he did not see where that would be a problem.

MS. SUMNERS stated there is an existing 15-foot public trail easement on the south side of the southern border.

COMMISSIONER HEITEL MOVED TO FORWARD CASE 8-UP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO IT MEETS THE USE PERMIT CRITERIA.

MOVED TO FORWARD CASE 52-ZN-1997#2 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL WITH THE ADDED CAVEAT THAT THE DEVELOPMENT REVIEW BOARD PAY PARTICULAR ATTENTION TO THE PEDESTRIAN INGRESS AND EGRESS OUT OF THE SITE.

MOVED TO FORWARD CASE 5-AB-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL WITH THE ADDITION OF A STIPULATION THAT ENSURES THE SOUTH 15 FEET OF THE PARCEL IS RETAINED FOR EQUESTRIAN USE.

SECOND BY COMMISSIONER BARNETT.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

4-UP-2003 (5th Avenue Parking) request by City of Scottsdale, applicant/owner, for a municipal use master site plan for a parking garage on a 1.6 +/- acre parcel located at 7143 E 5th Avenue with Central Business (C-2) zoning.

MR. GAWF presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

MICHAEL SCHMITT, Dick & Fitsche Design Group, 4545 E. McKinley Street, Phoenix, AZ, discussed the evolution of the project. He provided an overview of the design process. He also discussed the technical requirements associated with this project. He

reviewed the additional costs associated with going below grade. He reviewed the public outreach that has occurred to date.

COMMISSIONER NELSEN requested clarification on the additional cost associated with having a second level below grade. Mr. Schmitt reported on the complexity and time associated with going more than one level below grade. He further reported that the site does not allow ease of excavation all of the dirt would have to be hauled out and would add three to four additional months to the schedule.

Commissioner Nelssen inquired if they explored the possibility of using the soil cement or any other materials other than concrete for building walls and anything non-structural. Mr. Schmitt replied they did not explore that option because the parking structure for the most part would be structural concrete.

VICE CHAIRMAN STEINBERG commented on the cost for depressing the entire garage four levels, he inquired if the costs included designing a foundation and structural system to support residential and retail uses above. Mr. Schmitt stated it was not a detailed estimate it was just a quick concept estimate to provide something at the surface level whether it is open space or some kind of a park environment or one level above type construction. Vice Chairman Steinberg stated if the foundation would be designed for future development. Mr. Schmitt replied in the affirmative.

Vice Chairman Steinberg inquired if they would have to rezone this site to allow for residential. Mr. Gawf stated the downtown overlay would allow residential. Vice Chairman Steinberg inquired if the downtown overlay would allow them to exceed the 36 feet in height. Mr. Gawf replied in the negative.

Vice Chairman Steinberg stated he knows the parking is necessary but he does not think the parking will solve the vacancy problems. If they sensitively site rooftops in the downtown it will create energy and in turn revitalize the whole area. He further stated his big concern is that he is afraid if they don't incorporate something into their language or push for rezoning they won't be able to get residential down the road.

He stated he read most of the neighborhood comments and they were keen on underground parking.

He remarked he felt they need to be able to incorporate retail and residential uses in the design and structure system and be allowed to exceed the 36 feet in height. He further remarked they could sensitively step the building and create a mixed-use project.

He requested additional information on the total budget for this project. Mr. Gawf reviewed the costs associated with this project.

Vice Chairman Steinberg shared his idea for developing a mixed-use project at this site with a first floor retail and three floors of residential with the parking below grade. He presented information on the amount of sales tax and rental tax a project of this type could generate. He stated they would have to rezone the property to accommodate a mixed use that could go up to 50 feet that would sensitively step toward 3rd Avenue. He

further stated he felt a mixed-use project would generate tax revenue and create a boon for the area.

MR. GAWF stated they need to keep in mind that this land was purchased to provide parking for the larger area. Part of the thought is to see redevelopment throughout this area and a way to do that is to waive the parking requirements for other properties through the larger area. He further stated the 36 feet height is important to the vision for the downtown to be consistent with the existing scale.

Vice Chairman Steinberg stated he felt they need to study some mixed-use options.

MR. GAWF stated if they miss the construction window of next April or May then they would have to wait another year to begin this project.

COMMISSIONER SCHWARTZ inquired if the Commission has the authority to continue this case and ask for additional studies to be done that look at multi-use on this site. Mr. Gawf stated the Commission could make a recommendation to continue the case to do more study but he felt the Commission needs to make a recommendation to City Council and give them a chance from a policy standpoint to weigh in. Mr. Jones stated the case before the Commission is a municipal use master site plan and the primary issue before them is the parking on the site. They could forward the case with staff coming back with additional studies to show the potential for mixed uses.

Commissioner Schwartz inquired if Mr. Schmitt had ever designed and built a parking garage with a combination of above and below ground parking and then come back later and attempted to affix an additional component above the garage. Mr. Schmitt stated replied he has not had that opportunity.

Commissioner Schwartz inquired if Mr. Schmitt was aware of any liability issues that the City may face in the future by developing a parking garage with future residential or commercial in a two-phase process. Mr. Schmitt stated when they introduce an individual ownership component there would be significant liabilities assumed.

Commissioner Schwartz inquired if it was safe to assume that if they were designing a project like this that it would be easier to design it and build all the components rather than affix something to the project at a later date. Mr. Schmitt stated that has not been the direction of the project so they have not studied that in detail. He further stated if that were to be the eventual outcome it would probably make sense to do it that way.

COMMISSIONER HEITEL inquired if they moved forward with the proposal before them what would be the time frame to start the project. Mr. Schmitt stated they are up against a tight schedule at this point. It is important to make the schedule work by next April and to have this project before the DRB by September 4, and that gives them the balance of the fall to execute the technical design. Bid the project out shortly after the first of 2004 and be ready to start construction by April.

Commissioner Heitel inquired about the urgency to get this project started in April as opposed to year from now if everyone in the process knew it was moving forward. Mr. Gawf stated the property owners in the area have the concern that the City of Scottsdale

has talked a lot over the last 15 years and have not done much else. He further stated he felt it was a credibility issue because they have a reputation of studying things and not making decisions.

Commissioner Heitel stated he felt there was a tremendous opportunity for a residential component. He further stated if they want to create a mixed use they have to determine if there is a RFP or RFQ partner and move forward and if no when steps up then you build the garage and they have proven there is not a desire for it. Mr. Gawf stated one of the options is to have the third level residential. They have asked someone who does build loft units to tell us whether it is feasible. There would not be a problem to look at an RFP or RFQ process concurrent with the project to see if they do have any takers.

COMMISSIONER NELSEN stated the attached stipulation reads: "CONFORMANCE TO THE SITE PLAN, Development shall conform with the site plan submitted by KPFF Consulting Engineers and dated 4, April 2003. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council." He inquired if the questions the commissioners have been discussing tonight deemed significant changes. Does that mean those subsequent public hearings would be determined necessary by the Zoning Administrator. Ms. Boomsma replied in the affirmative. She explained the intent of that stipulation. Commissioner Nelsen inquired if they could eliminate the language "as determined by the Zoning Administrator". Ms. Boomsma stated if they eliminated that language every change no matter how small would have to go through the process. Commissioner Nelsen stated he was just referring to significant changes.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

JOHN EBY, 4245 N. Craftsman Court, stated he owns the Acme Bar and Grill that is adjacent to the parking structure. He stated he is very excited that they have reached this stage. He remarked he has been at this location for eight years and he has been hearing about it the entire time. He expressed his concern that after spending a couple of hundred thousand dollars in sales tax dollars on studies it looks as if we are doing more studies or inserting more questions into it. He requested that this structure be built and that they don't wait another year. He reported if the primary use is at night people will not park below grade because of security issues. He requested that they move forward with the plan to have one level below grade.

ALLEN PILE, 7121 5th Avenue, stated he has a business on 5th Avenue and has been there for 12 years. He further stated somewhere along the line they need to make a decision to build and move forward. He commented he felt the time is now. He further commented there is no entrance on 5th Avenue. He noted here is a need for an elevator on the north side. He further noted he did not think they needed any more retail in this area. He reiterated how important he felt it was to get started.

FRANK MAGUIRE, representing the 5th Avenue Merchants Association, stated this issue has been kicked around and talked about for years and the studies show that the parking is needed. The merchants are hanging on for dear life. Tourism has gone down and there are less people visiting 5th Avenue. They need something new. They need

new construction. They need a spark of life. He remarked that during season it is difficult to find parking. He further remarked that he would recommend that they not have any construction during the tourist season because they live for the one or two special events. He commented he did not think they should delay this parking structure for condominiums or retail projects while it is a great idea they should at least get the construction started.

NORWOOD SISSON, 7431 E. Portland, stated he felt something nicer needs to be done down there. A mixed use is obviously it. He further stated he would agree that they don't need retail but there are a number of other commercial options oriented to draw people downtown. He noted he felt residential on the top is very reasonable. He further noted he would propose three levels underground with commercial on the ground floor and maybe parking on the second level and residential on top of that. Still have the four parking levels and maintain the 36th feet in height.

FRED UNGER, 6525 N. 46th Street, stated he is a property owner on 5th Avenue. He further stated he supports the parking structure but on the other hand, he does not want to miss a golden opportunity. He remarked there are many visions for the downtown but he believed the one area they have little disagreement is to have a 24 hour, seven day a week environment with more residential units. The problem is they don't have much land to build them on. He remarked he would support staff's idea to have units on top of the structure. He further remarked they should have affordable units. He noted he felt they should talk to developers regarding the feasibility of doing condominiums. He further noted they do need more people downtown and an affordable project would allow perhaps younger people to live there. He concluded they should not delay this project but look at the options for residential concurrently.

COMMISSIONER SCHWARTZ inquired if would be a fair assessment in Mr. Unger's expert opinion that this is a viable site for developer to come in and develop a loft or condominium project. Mr. Unger replied in the affirmative but it should not be a high-end project.

Mr. Unger commented he would agree that there should be an elevator on the north side of the structure. He further commented there should be parking access on 5th Avenue.

DARLENE PETERSEN, 7327 E. Wilshire Drive, stated they need a parking garage downtown. She further stated there should be an elevator on both sides. She commented they should not put retail on this site. She further noted they do not need another study. If they want changes they should be put in the stipulations and forwarded to the City Council.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

CHAIRMAN GULINO expressed his concern that they were getting off track. He inquired if the City of Scottsdale currently owns this property. Mr. Gawf replied in the affirmative. Chairman Gulino inquire if the property was purchased with funds collected from the parking credit. Mr. Gawf stated it was bought through the assessment district so the property owners were assessed for parking and the land.

Chairman Gulino stated he felt it is important to remember that this land was purchased with dollars collected from people in the area because they were promised a parking garage. To delay it is not fair to those folks. He reiterated that what they have before them is a request for a municipal use site plan so the question before the Commission is do they think it should be a parking garage or not. They are not approving anything. They are just making a recommendation to the City Council whether they think it should be a parking garage or not or possibly something in between and that the City Council needs to consider in more detail the issue regarding residential and retail.

MR. GAWF stated for clarification there will be an elevator on the north and south side.

CHAIRMAN GULINO encouraged the commissioners to stay on point and make their comments as direct as possible.

COMMISSIONER BARNETT stated he would agree that this has been studied to death. Everybody knows they need more parking so there does not need to be more study there. The consensus is that they need more parking, they are pro business, and they need more people down there. They don't need more study but they are looking for alternatives. This is the third time this has been before the Commission in the last month and a half. They walked the site and have spent a lot of time. All of the comments have been that they want something better than just a parking garage. He remarked his job as a volunteer sitting on this Commission is coming up with something good for the downtown people that is zoned correctly and is a project people will be proud of in Scottsdale. All the comments they have been making are that they want a better project. They have specifically asked for some type of RFP or RFQ that would only take 30 to 60 or 90 days. The bottom line is that they want something better that supports the business better in the long-term downtown and that has been show by some of the other decisions they have made that they need more people living downtown. He reported one of the big landowners has come in front of them and stated this would be a viable project for condos or lofts. They all agree but they have not seen any proposals. All they have seen is parking, which everyone agrees they need parking, but they want something better than parking.

COMMISSIONER SCHWARTZ stated he concurs with Commissioner Barnett's statement. He further stated they all have talked about making something out of this site rather than just parking. They need parking but they also need to create some synergy and part of that starts with bringing in housing. He noted this is a prime spot for a condominium project. He further noted he can't accept this Commission, this Council or this community to rush to spend \$4.5 million dollars for a garage when they can get more than just parking on this site. He added he would be in support of a motion that will include the opportunity for a RFP to go out on the site to developers to incorporate some mixed use.

COMMISSIONER NELSEN stated he felt they needed to move this forward. It has already been delayed twice and he has not heard any new issues raised that were not raised three meetings ago. He further stated he would support a motion that includes a residential component not unlike what Mr. Gawf presented to them a month ago. They don't need to study this anymore. He reported he has received a couple of emails indicating that some of the residents would like to see a park on top of this garage

because of the need for open space. He further reported he does not agree that a parking garage is going to bring people to downtown Scottsdale. He concluded he hopes this moves forward. He thanked Mr. Gawf for his efforts.

COMMISSIONER HESS stated he would like to thank Commissioner Barnett and Commissioner Schwartz for expressing what is going through his mind. He further stated everyone of them would like to see parking and would like to encourage the development of business in Scottsdale. There is a long-range issue here. What will be happening to downtown Scottsdale five years from now and is that parking garage just as a parking garage going to satisfy those needs. He remarked that issue has not been addressed and unless they look at this project with some foresight and that foresight would include residential that brings people into downtown Scottsdale to live and participate in the community.

COMMISSIONER HEITEL stated he would agree with a lot of the comments and appreciates the concerns and frustrations expressed by a lot of the citizens that want parking today. He further stated he would agree with the comments regarding taking this to another level and making sure the City does not jump into something without exploring all the opportunities.

VICE CHAIRMAN STEINBERG stated he lived in a mixed-use development called New York City and he knows what this could be so he is coming with some vision that has been honed over the years. There is nothing nicer than walking through a city with all kinds of alleyways and hidden jewels around each corner. He further stated he thought downtown Scottsdale has a lot to offer but he also thinks they are on the brink of losing it to other cities in the Valley if they don't re-invigorate downtown by means of adding roof tops and mixed use vitality with 24/7 type atmosphere.

Vice Chairman Steinberg stated he shares all of his colleagues' feelings that they want something better than just a parking garage. They have one opportunity and now is the time to do it. He further stated he would like to support a motion that continues this allowing them to study it with mixed use options giving them the proper time to analyze this and go forward. He noted he does not mean a lot of time because he hears the cries from the merchants' downtown.

CHAIRMAN GULINO stated he would like to see a motion that forwards this to the City Council and in that motion he would like to see two elements. The first would be that the City Council and DR Board consider the issue of how many up and how many down in terms of the levels. The second would be a concurrent analysis on the structure to test the market for other uses incorporated into the site whether it is residential, retail or office. He noted he felt his needs to come from the City Council because it is an economic issue whether the structure is designed to accommodate future loading whether it is a park or buildings.

COMMISSIONER SCHWARTZ MOVED TO FORWARD CASE 4-UP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO FOLLOWING STIPULATIONS:

- 1) **THE CITY INITIATE A REZONING TO DOWNTOWN TO INCREASE THE HEIGHT LIMIT TO ALLOW FOR A MULTI USE SITE.**
- 2) **WITHIN THREE MONTHS OF THE APPROVAL BY THE CITY COUNCIL THE CITY SHALL INITIATE A REQUEST FOR PROPOSAL TO DEVELOP A MUNICIPAL GARAGE WITH A MULTI USE ON THE SITE WITH A 60 DAY RESPONSE TO THE REQUEST FOR PROPOSAL.**

SECOND BY COMMISSIONER BARNETT.

VICE CHAIRMAN STEINBERG stated based on what occurred with the sign ordinance when the Commission made their opinion and it went in a different fashion to the City Council. He inquired how are they going to ensure this does not take the same route. Mr. Gawf stated he would suggest for someone from the Planning Commission draft some kind statement to pass on. Chairman Gulino requested staff draft a letter to the City Council for the Commission to review at their next meeting that reiterates the stipulations and their concerns.

COMMISSIONER HEITEL stated he would have preferred to strengthen the recommendation to the City Council. He further stated he would like to see a statement from the Commission that they absolutely do not recommend the construction of a four-story above grade structure. It should be limited to minimum one grade below. He noted he would liked to have seen more time given to the RFP process with the understanding that the primary focus it to develop a mixed-use project.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0),

WRITTEN COMMUNICATION

There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 7:10 p.m.

Respectfully Submitted,

"For the Record " Court Reporters

CHAIRMAN GULINO stated he felt it would be helpful to reopen public testimony to allow Mr. Pomeroy an opportunity to speak because of his position on the Board of Directors for Ironwood Village.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

EDWARD POMEROY stated the Ironwood Board of Directors did review this proposal and determined it would not have any negative impacts to their community. He further stated the community was notified within a 700-foot range.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

CHAIRMAN GULINO stated regarding the traffic and transportation impacts, 94th Street and Union Hills would be constructed within the next 12 months. Mr. Zimmerman replied in the affirmative.

Chairman Gulino stated the applicant may want to change Stipulation No. 3 for the hours of operation to be changed to 7:00 a.m. to 8:00 p.m.

VICE CHAIRMAN STEINBERG MOVED TO FORWARD CASE 7-UP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO IT MEETS THE USE PERMIT CRITERIA AND WITH A CHANGE TO STIPULATION NO. 3 THAT THE HOURS OF OPERATION BE CHANGED TO 7:00 A.M. TO 8:00 P.M. NO OUTDOOR OPERATIONS SHALL BE PERMITTED PRIOR TO 7:00 A.M. OR AFTER 8:00 P.M.

SECOND BY COMMISSIONER BARNETT.

THE MOTION PASSED BY A VOTE OF FIVE (5) TO ZERO (0).

Discussion of Planning Commission's correspondence to the City Council regarding the 5th Avenue Parking (4-UP-2003).

CHAIRMAN GULINO stated the purpose of this item is to discuss the correspondence from the Planning Commission to the City Council regarding the 5th Avenue Parking. He further stated they do have some citizen comment cards on this item. He noted they are here to discuss a memo they felt would be helpful to pass on to the City Council because the case was more convoluted than they had anticipated it to be. He further noted they have a draft memo from staff and they have response from the commissioners. Due to the type of response, they have received from the commissioners he felt it might be more affective if they pass their comments directly on to the City Council rather than through the proposed memorandum.

MR. JONES provided information regarding how the draft memorandum would look in the staff report to the City Council. He noted it may be beneficial if the commissioners were to attend the City Council meeting and speak rather than trying to capture their thoughts in a memo.

CHAIRMAN GULINO stated the Commission needs to determine the most effective way to get their message across to the City Council. He requested the commissioners' provide their initial thoughts on where they stand with the memo.

COMMISSIONER BARNETT stated he felt their minutes speak for them. He further stated he did not think the draft memo would really be much more helpful. He reported that he had already sent an email with this comments and suggestions and he knows other commissioners' have as well. He further reported he appreciated the efforts that went into this draft memo. However, he does not think it adds to their comments. He reported he would suggest they don't use the draft memo and each one of the commissioners make a presentation to City Council if necessary regarding their strong feelings of what they want to see done.

COMMISSIONER SCHWARTZ stated he would concur that the best message they can send is the message they have already sent. He further stated the minutes, the motion and the amount of time they have spent on this issue allows the City Council to see how passionate they are about the decision they have made. He remarked he would recommend that as individuals they send their comments to the City Council.

COMMISSIONER NELSEN stated he would concur. He further stated it is obvious the task has been how to incorporate a badly needed parking facility, and still allow for the highest and best use of the property. It is a challenge with the limited amount of space in the downtown and trying to meet the wants and desires of a variety of citizens' opinions. He further stated he felt the consensus was that the plain box-parking garage is not what this Commission approved. There are some issues with height and as this goes forward to the City Council they will all be letting them know their opinions as far as details.

VICE CHAIRMAN STEINBERG inquired when is this issue scheduled to go before the City Council. Mr. Jones stated it is tentatively scheduled for the August hearing.

Vice Chairman Steinberg stated he felt there were a few things missing from the draft memo. One is that there is no mention of affordable housing. There should be a provision for city incentives to try and offset development costs for this small in fill project. He remarked that rezoning is a must so they can get the 50 feet in height. He further remarked he has come to the realization after talking with some of the people in the town that two levels below grade is more in fitting with the Scottsdale lifestyle. He noted he was a proponent of four levels below but has changed his mind to make more of compromise for the lifestyle here with two levels below, one level at grade for parking, perhaps a level above and then the rest residential with no retail. He noted he felt that would be a good utilization of this site.

Vice Chairman Steinberg stated he has spoken with some developers about the costs of this small in fill project and the costs would be excessive unless there was a private public partnership where they could work with the City to use some incentives. He further stated that would be a discussion for another time.

Vice Chairman Steinberg stated the 50 feet in height would be the maximum because they can't go any higher with wood construction. He further stated a lot of builders would like to do this project in a wood frame construction.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

CHARLES POSTON, 8550 E. Bonita Drive, stated he would like to speak strictly about the aesthetics of the garage. He further stated this project is in the downtown and by definition is a low-rise community. Putting the garage above ground is a terrible visual pollution in the City. He remarked they cannot afford not to do this structure the right way. The City of Scottsdale is spending a lot of money to beautify the canal and improving the downtown and by putting the parking structure above ground is counter productive. He would suggest they build the entire garage underground with restroom facilities and open space on the top.

SAM WEST, 8160 N. Hayden, stated he served on the Downtown Task Force and on TOPS. He further stated he has spent many years working on the issues in the downtown. He remarked the day after the last Planning Commission meeting his phone was ringing off of the hook with people concerned about the increase in height that was placed in the motion. He further remarked he would encourage the Commission to rethink the 50-foot height because 36 feet is generally exists in this area. He commented regardless of how many stories of parking is being proposed they should all be below grade. The land is too valuable to be putting a parking garage on it. He further commented on the importance of having open space in the downtown. He discussed the importance of the perception of this area to their visitors.

CHAIRMAN GULINO reminded the citizens that they are not making another recommendation this evening. Their goal is to come to some sort of concurrence regarding the draft memo from the Planning Commission to the City Council regarding the 5th Avenue parking.

SUSAN WHEELER, 9616 E. Kalil, stated she served on the Downtown Task Force and it took them a long time to come to a consensus so she knows why there is confusion and not a consensus on what they want to send to the City Council. The consensus of the Task Force was that parking is needed in this area. She further stated she watched the end of the last Planning Commission meeting and she could not believe they were talking about putting buildings on top of the parking garage. The ultimate best would be to have the parking underground and have a park on top so the businesses could turn out to it. She remarked the City is trying to encourage property owners to build on top of their properties to go up to the 36 feet for residential. If they put residential on top of this garage, they would be competing with the property owners who are thinking of doing the very same thing. Also, several residential units are already being planned for this area. She stated the main thing the Task Force learned that garages are aesthetically ugly so this has to be done with great taste. If they put residential on top of this with the bars and restaurants, it will cause problems. She commented on the importance of having parking that is low scale. She further stated the Task Force spent nine months studying this and they never wanted it to go up to 50 feet.

CHAIRMAN GULINO stated he would encourage these citizens to attend the City Council meeting and let their feelings be known.

LOIS FITCH, 1229 N. Granite Reef Road, stated she served on the Downtown Task Force. She further stated it has been a constant battle to keep the image and character of the downtown. She remarked they do not want to see increase in heights in the downtown.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

COMMISSIONER NELSEN expressed his concern that the recommendations regarding the need for open space from the Downtown Task Force was not stressed in their packets. He stated the reason is that a number of years ago it was determined that Scottsdale Road should be treated as a linear park. It is missing from Los Arcos. It is missing from the canals. The downtown Task Force has recommended that just off of Scottsdale Road and there is no follow through. He concluded that disturbed him.

VICE CHAIRMAN STEINBERG stated concerning height if they can put all two levels of parking below grade and treats the grade level as a podium for a nice residential street. Perhaps a row of brownstones 36th feet in height with some open space would be a win/win and he would support such a move. He reported when he mentioned the 50 feet in his mind he was thinking of a building that stepped very sensitively from 5th Avenue where it is low two story context that stepped up to 3rd Avenue where the buildings in the surrounding area are somewhat higher and it could be done very sensitively with balconies and preservation of view corridors. He reiterated that he would like to see two levels below grade and street level affordable housing. He noted the residential that is planned in the area is not affordable.

CHAIRMAN GULINO stated at this point it is his understanding that the consensus of the Commission is that they not forward the draft memo from the Commission and instead each commissioner individually forward his comments to the City Council.

WRITTEN COMMUNICATION

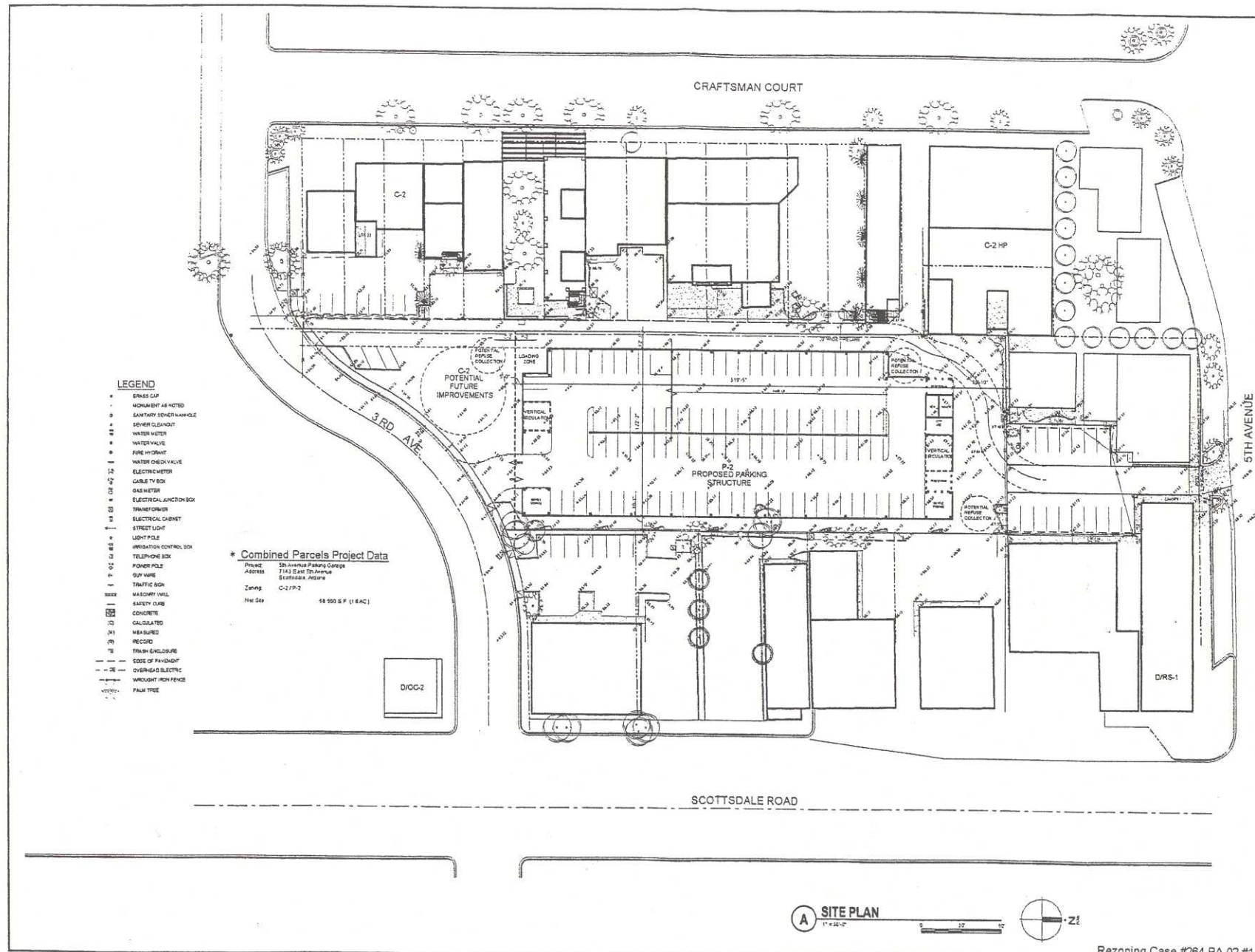
There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 6:55 p.m.

Respectfully Submitted,

"For the Record " Court Reporters



DFDG

• Architecture
• Planning
• Interiors

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City of
Scottsdale
Parking
Structures

Scottsdale, Arizona

Schematic Design

ATTACHMENT #8

DFDG Project # 0301

SITE PLAN

4-UP-2003

A1.1
Sheet Number

Rezoning Case #264-PA-02 #1